

REMARKS

This amendment is offered in response to the Office Action of December 31, 2007.

The Office Action rejected Claims 1-3, 5-8, 10-13 and 15 under 35 U.S.C. §102(b) as being anticipated by the Aoki reference (U.S. published patent application number 2002/0021450). Similarly, the Office Action rejected Claims 4, 9 and 14 under 35 U.S.C. §103(a) as being obvious over the Aoki reference.

The Aoki reference teaches an optical system for acquiring position and displacement based on a system that detects the position of a single spot of light in a two-dimensional array of photo sensors. Figure 1 as well as paragraph [0046] of the Aoki reference describes the basic principle used in a one-dimensional array of photosensitive semiconductor strips. Figure 3 further discloses how a two dimensional array of sensors is implemented while paragraph [0055] discloses how this spot of light is detected by detection circuits 42x and 42y.

This is quite different from the presently claimed invention wherein “said optical system [is] positioned to optically acquire sequential images from said circumferential skirt and determine the direction and magnitude of movement” as recited in Claim 1.

Similarly, in the Aoki reference, elements 51 is an optical grating or scale marking which is formed on the surface of a scale 50 (mis-identified as “5” in paragraphs [0059] and [0060]). This can be construed as an optical grating that is a precisely ruled transmissive or highly reflective surface. This would not be preferred for use as the “circumferential skirt” in the present claim language “said optical system being positioned to optically acquire sequential images from said circumferential skirt and determine the direction and magnitude of movement” in that a transmissive surface or a reflective surface may likely result in a less useful image (if at

all) and a highly ordered surface, such as an optical grating may likely result in less useful differentiation of the image (if at all).

Furthermore, there is nothing in the Aoki reference in which to base the rejection of Claims 7-10 and 12-15 (which now depend from newly added Claim 17) with respect to the optical system using the sequential images to detect the rotation and tilt of the rotatable platter. Rather, the Aoki reference teaches a tilt detection system wherein the tilt is detected by the change in position of a light spot reflected by the sensor substrate 52.

It is therefore respectfully submitted that the rejections over the Aoki reference under 35 U.S.C. §§102, 103 are overcome.

The Office Action further rejected Claim 16 under 35 U.S.C. §103(a) as being obvious over the Aoki reference in view of the Nahum reference (U.S. Patent No. 6,642,506). However, Claim 16 is dependent upon Claim 1 and the Nahum reference does nothing to resolve the deficiencies of the Aoki reference as described above.

It is therefore respectfully submitted that this rejection is overcome.

For all of the reasons above, it is respectfully submitted that all of the presently pending claims are in immediate condition for allowance. The Examiner is respectfully requested to

withdraw the rejections of the claims, to allow the claims, and to pass this application to early issue.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ronald E. Brown", with a long horizontal flourish extending to the right.

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